

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.44834 of 2007
SAYEEDUL & ORS
Versus
THE STATE OF BIHAR

3. 8.5.2008 Heard learned counsel for the petitioners and learned A.P.P.
for the State.

The eight petitioners pray for anticipatory bail in a case under Sections 147, 341,323,379, 406, 363, 365/120B of the Indian Penal Code.

The allegation against the petitioners is that a loan of Rs. 5000/- has been given to petitioner no. 1 by the informant but subsequently he refused to return the same and further the informant was assaulted and threatened with dire consequences.

Learned counsel for the petitioners submits that the present case has been lodged on totally false allegation on 5.9.2006 as a complaint case with respect to an incident of 2.9.2006 and was subsequently registered as a police case on the direction of the Court. It is stated that earlier petitioner no. 7 had filed Pothia P.S. Case No. 46/2006 under Sections 448, 342, 323 and 376/34 of the Indian Penal Code against the son of the informant and others alleging that she had been raped by the son of the informant in which charge sheet has been submitted against the accused persons of that case and the son of the complainant is absconding in that case whereas a false plea has been taken that he has been abducted by the accused persons. It is further stated that the petitioner no. 8 Basanti had also filed a criminal case

against the informant and for that reason she has also been made an accused in order to put pressure upon the petitioners. It is stated that upon investigation the police has found the present case to be false and has directed institution of a case against the informant for an offence under Sections 182 and 211 of the I.P.C.

On a consideration of the facts and circumstances of the case, it is directed that the petitioners, (1) Sayeedul, (2) Jalil, (3) Huda, (4) Kutto, (5) Abdul, (6) Salahuddin, (7) Halima Khatoon and (8) Basanti, in the event of their arrest/surrender in the Court below within four weeks from today, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties each of the like amount each in connection with Pothia P.S. Case No. 153/2006 to the satisfaction of the Chief Judicial Magistrate, Kishanganj.

P. Kumar

(Ramesh Kumar Datta, J.)

